

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO: 12574 of 2004**

Between:

- 1 Mopuri Rama Subbaiah S/o. Subbaiah  
H.No. 10-54, Kondarajupalli, S.A. Kasinayana Mandal, Kadapa District.
- 2 Oruganti Subbaramanyam S/o. Thiripelaiah  
H.No. 9-19, Kondarajpalli, A. Kasinayana Mandal, Kadapa District.
- 3 Lekkala Savithri W/o. Venkat Reddy  
H.No. 10-37, Kondarajupalli, A. Kashinayana Mandal, Kadapa District.
- 4 Gannamaneni Krishna Murthy Naidu, S/o. Chinna Chenma Naidu  
H.No. 9/25/1, , Kondarajpalli, A. Kasinayana Mandal, Kadapa District.
- 5 Arikela Bayyapu Reddy, S/o. Pedda Bayapppu Reddy  
H.No. 11-5, Basanapa, A. Kasinayana Mandal, Kadapa District.
- 6 Basi Reddy Bali Reddy S/o. Veera Reddy  
H.No. 10-76, Kondarajupalli, A. Kasinayana Mandal, Kadapa District.

**... PETITIONERS**

AND

- 1 The District Collector, Kadapa.
- 2 The District Panchayat Officer, kadapa, Kadapa District.
- 3 The Divisional panchayat Officer, Rajampet, Kadapa District.
- 4 The Mandal Revenue Officer, Kasinayana Mandal, Kadapa District.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or writ one in the nature of writ of mandamus, declaring the action of the respondents directing to consider the representation of Petitioners Dt. 09. 07.2004 for construction of Grama Sachivalayam Buildings, Kotharajupalli Village, S. Avadutha Kessinayana Mandal, Kadapa District in terms of the proceedings of the 1st respondent in Ref. No. C4/1522/FF2WP/GPGF/04, Dt. 05.07.2004 and not to permit any other constructions for Grama Sachivalayam (Village Secretariat) in K. Kottala Village, S. Avadutha Kasinayana

Mandal, Kadapa District as illegal.

**Counsel for the Petitioner: SMT.N.SHOBA**

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.**

**The Court made the following:**

**ORDER:**

The Vice President, ward members, Ex-sarpanch and villagers of Kondarajupalli Gram Panchayat filed the present writ petition stating that the District Collector, in his proceedings dated 05-07-2004 in Ref.No.C4/1522/FFWP/GPGF/04 accorded sanction for allotment of 70.312 metric tons of rice under SGRY (SC) for execution and construction of Gram Sachivalayam Building including compound wall at Kondrajupalli village. On such sanction, representation dated 09-07-2004 was submitted that donors have come forward to donate one acre of land for construction of *Sachivalayam* adjacent to R.C.M. Elementary School to construct the building at the sanctioned place. But, surprisingly they have started a building, which is being constructed in K.Kottala village as the Sarpanch is from K.Kottala village and the said construction is going without any estimates. In view of the same, petitioners moved this Court by way of the present writ petition.

2. The District Panchayat Officer – second respondent filed counter, admitting sanction of the work under SGRY and stating that Gram Panchayat, Kondrajupalli has three hamlets viz., K.Kottala, Basanapalli (S.T.Colony) and Basanapalli, which constitute Gram Panchayat. But, he denied the fact that the Sarpanch of K.Kottala village is constructing office building at his native village as per the report submitted by the Mandal Parishad Development Officer. Further, the Gram Panchayat, in its resolution dated 31-07-2004 has resolved that since there are no sufficient funds in the Gram Panchayat at present, construction of office building would be taken up after selecting the site and collecting the contributions from the public for the above purpose.

3. In view of the above facts and circumstances, as and when such site is selected by the Gram Panchayat by passing resolution, it is for the respondent authorities to consider the same and grant permission for construction of such office in the site so selected by the Gram Panchayat.

The Writ Petition is accordingly disposed of. No order as to costs.

A.

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**GOPAL REDDY, J**

September 30, 2004

**MRR**

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER